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13 Attorneys for Plaintiff/Defendant
14 INTUITIVE SURGICAL, INC.

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

17 ILLINOIS UNION INSURANCE COMPANY,
18 an Illinois corporation,

19 Plaintiff,

20 v.
21 INTUITIVE SURGICAL, INC., a Delaware
22 corporation,

23 Defendant.

24 Case No. 3:13-cv-04863-JST
25 Hon. Jon S. Tigar

26 **JOINT STIPULATION TO EXTEND
27 MEDIATION DEADLINE FROM
28 OCTOBER 15, 2016, TO NOVEMBER 30,
29 2016; AND**

30 **[PROPOSED] ORDER.**

31 *Complaint Filed: October 21, 2013*

32 Date: May 26, 2016
33 Time: 2:00 Pm
34 Location: Courtroom 9
35 Trial Date: June 19, 2017

36 CASE NO.: 3:15-cv-04834-JST

37 *Complaint Filed: October 20, 2015*

38 INTUITIVE SURGICAL, INC.,

39 Plaintiff,

40 v.
41 ILLINOIS UNION INSURANCE COMPANY;
42 NAVIGATORS SPECIALTY INSURANCE CO.,

43 Defendants.

1 Intuitive Surgical, Inc. (“Intuitive”) and Illinois Union Insurance Company (“Illinois Union”)
2 jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, to extend the deadline for
3 mediation of the consolidated actions numbered Case No. 3:13-cv-04863-JST and Case No. 3:15-cv-
4 04834-JST, if it pleases this Court.

5 WHEREAS, on July 26, 2016, the parties submitted a Joint Stipulation to Scheduling Order
6 which was approved and entered by the Court on July 28, 2016 (Dkt. 186¹).

7 WHEREAS, the Scheduling Order provided for a mediation deadline of October 15, 2016.

8 WHEREAS, the parties have been conducting fact discovery in Case No. 3:15-cv-04834-
9 JST, which has a fact discovery cut-off date of November 10, 2016.

10 WHEREAS, the parties through their counsel have met and conferred, and agree that a
11 private mediation is best conducted after the close of all fact discovery on November 10, 2016.

12 NOW THEREFORE, the parties, through the undersigned counsel, hereby respectfully
13 stipulate and request that this Court extend the mediation deadline to November 30, 2016, to allow
14 the parties adequate time to conduct a private mediation in consolidated actions numbered Case No.
15 3:13-cv-04863-JST and Case No. 3:15-cv-04834-JST, if this date is convenient to this Court. This
16 change in the deadline for mediation will not change or affect any of the other dates in the
17 Scheduling Order entered on July 28, 2016:

Event	Current Date	New Schedule
Mediation Deadline	October 15, 2016	November 30, 2016

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¹ Unless otherwise indicated, all docket citations refer to the ECF docket in *Illinois Union Ins. Co. v. Intuitive Surgical, Inc.*, No. 3:13-cv-04863-JST.

1 DATED: October 11, 2016

2 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

3 By: /s/ James P. Schaefer

4 Attorneys for
INTUITIVE SURGICAL, INC.

5 COZEN O'CONNOR

6 By: /s/ Charles Wheeler

7 Attorneys for
8 ILLINOIS UNION INSURANCE COMPANY

9 Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this
10 document has been obtained from the signatories above.

11
12 /s/ James P. Schaefer

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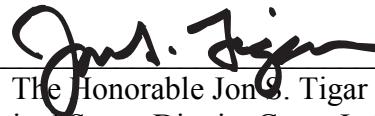
1 **[PROPOSED] ORDER**

2 **PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS**
3 **ORDERED THAT:**

4 The Court enters the following modification to the case schedule for consolidated actions
5 numbered Case No. 3:13-cv-04863-JST and Case No. 3:15-cv-04834-JST:

Event	Current Date	New Schedule
Mediation Deadline	October 15, 2016	November 30, 2016

9
10 DATED: October 13, 2016


11 The Honorable Jon C. Tigar
12 United States District Court Judge